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Attorney Docket No. YOR920010334US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): J.L. Hellerstein et al.
Docket No.: YOR920010334US1
Serial No.: 09/896,254
Filing Date: June 29, 2001
Group: 2164
Examiner: To Be Assigned

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: 

Date: August 31, 2006

Title: Automated Service Level Management
in Financial Terms

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

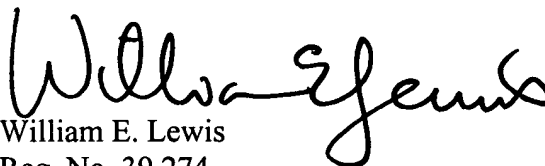
Sir:

Submitted herewith is the following document relating to the above-identified patent application:

(1) Response to Restriction Requirement.

There is no additional fee due in conjunction with the response. In the event of any non-payment or improper payment of a required fee, the Commissioner is hereby authorized to charge or to credit **International Business Machines Corporation Deposit Account No. 50-0510** as required to correct the error.

Respectfully submitted,



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Date: August 31, 2006



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Examiner: Nga B. Nguyen

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated August 1, 2006, Applicants present the following remarks for consideration.

REMARKS

In the outstanding Office Action, the Examiner required restriction of claims 1-39 of the above-referenced application to one of the following two groups of claims: claims 1-24 (Group I) and claims 25-39 (Group II).

The Examiner states that the claims in each group are distinct because “the apparatus as claimed [in claim 1] can be used to practice another materially different method.”

Applicants respectfully traverse the restriction requirement for at least the following reasons.

The apparatus of claim 1 (Group I) recites at least one processor operative to: (i) maintain an electronic contract that contains information pertaining to descriptions of one or more business transactions in IT terms, financial implications of one or more business transaction service levels, and reporting to be performed in one or more financial terms; and (ii) measuring the operation of the IT system in terms of one or more business metrics based on the electronic contract. Claim 25